# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

BLUE HILLS OFFICE PARK LLC, Plaintiff/Defendant-in-	) ) )
Counterclaim	)
v.	Civil Action No. 05-CV-10506 (WGY)
CREDIT SUISSE FIRST BOSTON MORTGAGE SECURITY CORP., Defendant.	) ) )
and	) )
CSFB 1999 – C1 ROYALL STREET, LLC Defendant/Plaintiff-in- Counterclaim	) ) ) )
and	) )
WILLIAM LANGELIER and GERALD FINEBERG,	<i>)</i> ) )
Defendants-in-Counterclaim	) )

### AMENDED MOTION FOR AN EXTENSION OF TIME TO FILE RESPONSIVE PLEADINGS

In accordance with United States District Court Local Rule 7.1, Blue Hills Office Park, LLC, William Langelier and Gerald Fineberg hereby move for a brief time extension until July 13, 2005 (inclusive of that date) to file responsive pleadings in connection with the Counterclaim asserted by the defendant in the above-captioned action.

In support of their motion, the movants aver and assert as follows:

- 1. The time extension is requested so that the movants can have an opportunity to review and comment on the draft responsive pleadings prepared by counsel. Because of the July 4<sup>th</sup> holiday and various vacation schedules, the undersigned has not had an opportunity to review the draft pleadings with each of the movants as of this date.
- 2. There are no other motions pending and this is the first request for a time extension made by the movants. Previously, the plaintiff has consented to the defendant's request for additional time to move or answer the Complaint which requests have been granted by this Court.
- 3. In accordance with Local Rule 7.1(a)(2), the undersigned attempted to contact defendant's counsel, Randolph Tucker, to get his client's consent to this motion. However, the undersigned was advised that Attorney Tucker's office was closed yesterday.
- 4. The additional time requested by the movants will enable the undersigned to have adequate time to confer with the movants with respect to the pleadings to be filed in response to the defendant's Counterclaim. The brief time extension requested will not otherwise delay these proceedings.

#### **Defendant Consents to the Relief Requested**

5. Today, the undersigned received notice from counsel for the defendant that the defendant consents to the relief requested in this motion.

WHEREFORE, the movants respectfully request that their motion be granted and that they be granted such other and further relief as is proper and just.

Respectfully submitted,

Plaintiff/Defendant-in-Counterclaim, BLUE HILLS OFFICE PARK LLC By its attorneys,

Dated: July 6, 2005

/s/Peter B. McGlynn

Peter B. McGlynn, Esq. BBO# 333660 Meredith A. Swisher, Esq. BBO# 646866 BERNKOPF GOODMAN LLP 125 Summer Street, 13th floor Boston, Massachusetts 02110 (617) 790-3000 pmcglynn@bg-llp.com mswisher@bg-llp.com

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Defendants-in-Counterclaim	, )

### **CERTIFICATE OF SERVICE**

I, Peter B. McGlynn, hereby certify that I caused to be served, this  $6^{th}$  day of July 2005, the Amended Motion for an Extension of Time to File Responsive Pleadings, via electronic service and first class mail, postage pre-paid, upon the following:

Bruce S. Barnett Traci S. Feit DLA Piper Rudnick Gray Cary US LLP One International Place Boston, MA 02110

#### E. Randolph Tucker

DLA Piper Rudnick Gray Cary US LLP One International Place Boston, MA 02110

> /s/ Peter B. McGlynn Peter B. McGlynn